



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

NOV 25 2008

FCC Mail Room

DA 08-2546

Released: November 20, 2008

## DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF VoIP TEL, L.P.

### NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 08-218

DOCKET FILE COPY ORIGINAL

Comments Due: December 4, 2008

Reply Comments Due: December 11, 2008

On October 28, 2008, VoIP TEL, L.P. (VoIP TEL) filed an application pursuant to section 63.03 of the Commission's rules seeking approval of a transfer of control that was consummated on December 15, 2007.<sup>1</sup> At that time, two of the then-existing owners of VoIP TEL sold all of their interests in VoIP TEL to the remaining owners, Mubarak Maknojia and Muhammad Ali (Transferees), who now control VoIP TEL.<sup>2</sup>

VoIP TEL, a limited partnership organized under Texas law, provides wholesale telecommunications services and prepaid calling card services nationwide, though primarily in Texas. Prior to the transfer that is the subject of this application, VoIP TEL was directly owned by four individuals, each of whom held equal 24.75% limited partnership interests: Ismail Ali, an Indian citizen; Amin Hemani, a Pakistan citizen (collectively, Transferors); Muhammad Ali, a Pakistan citizen; and Mubarak Maknojia, a U.S. citizen. The remaining 1% interest in VoIP TEL was held by a Texas limited liability company, VoIP Tech, LLC (Tech), which serves as the Managing Partner of VoIP TEL.<sup>3</sup> Before the transaction was consummated, each of the direct owners also directly held an equal 25% ownership interest in Tech. No other individual or entity held or currently holds a 10% or greater interest in VoIP TEL.

<sup>1</sup> 47 C.F.R. § 63.03; see 47 U.S.C. § 214. Applicants have also filed an application for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic section 214 application on November 18, 2008.

<sup>2</sup> As this transaction was consummated without prior Commission approval, VoIP TEL has separately filed a request for Special Temporary Authority (STA) that is pending. VoIP Tel states that the delay in requesting consent for the transfers of control at issue occurred because the owners did not realize that an internal transaction among existing owners that did not introduce outside ownership interests would be subject to prior Commission approval. Applicants further state that they filed the STA and application to correct the deficiency.

<sup>3</sup> Tech continues to serve as Managing Partner, and continues to hold a 1% direct interest in the Applicant. Thus, each Transferee also holds a 0.50% indirect interest in Applicant through Tech.

- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202 / 418-0530 (voice), 202 / 418-0432 (tty).

**In addition, one copy of each pleading must be sent to each of the following:**

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, [www.bcpweb.com](http://www.bcpweb.com); phone: 202 / 488-5300 fax: 202 / 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A103, Washington, D.C. 20554; e-mail: [tracey.wilson-parker@fcc.gov](mailto:tracey.wilson-parker@fcc.gov);
- 3) Alex Johns, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C317, Washington, D.C. 20554; e-mail: [alexis.johns@fcc.gov](mailto:alexis.johns@fcc.gov);
- 4) David Krech, Policy Division, International Bureau, 445 12th Street, S.W., Room 7-A664, Washington, D.C. 20554; e-mail: [david.krech@fcc.gov](mailto:david.krech@fcc.gov);
- 5) Jim Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: 202 / 488-5300, fax: 202 / 488-5563, or via e-mail at [www.bcpweb.com](http://www.bcpweb.com).

For further information, please contact Tracey Wilson-Parker at 202 / 418-1394, or Alex Johns at 202 / 418-1167.

- FCC -

On December 14, 2007, each Transferor entered into a separate securities purchase agreement with a corresponding Transferee, to sell all of the Transferor's existing ownership interest in Applicant. Ismail Ali's total interests were sold to Mubarak Maknojia, and Amin Hemani's total interests were sold to Muhammad Ali. Both of the transactions were consummated on December 15, 2007. Effectively, each Transferee now holds a 50% direct and indirect ownership interest in VoIP TEL. Neither Transferee has any other telecommunications carrier affiliates.

Applicants assert that this transaction is entitled to presumptive streamlined treatment under section 63.03(b)(1)(ii) of the Commission's rules.<sup>4</sup> However, because this transaction is more complex than usual, in order to analyze whether the proposed transaction would serve the public interest, we accept the application for non-streamlined processing.<sup>5</sup>

Applicants state that granting this application will serve the public interest convenience and necessity because VoIP TEL provides options to lower income consumers of telecommunications services, which, they claim, increases competition and reduces prices in domestic markets. They also state that approval of this application will allow VoIP TEL to continue to provide uninterrupted services to its customers at competitive rates.

### **GENERAL INFORMATION**

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a non-streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before December 4, 2008** and reply comments **on or before December 11, 2008**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's e-Rulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal e-Rulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

---

<sup>4</sup> 47 C.F.R. § 63.03(b)(1)(ii).

<sup>5</sup> 47 C.F.R. §§ 63.03(c)(1)(v).